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November 6, 2003

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The Honorable John D. Ashcroft
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General:

We write to ask you to reconsider your recent decision to assign responsibility for enforcing the "Partial Birth Abortion Ban Act" to the Civil Rights Division rather than the Criminal Division. Your decision is a slap in the face of the civil rights community, and does a grave disservice to the many Americans who gave their lives for the cause of civil rights laws in this country. It is "Orwellian" that you would have the Civil Rights Division enforce a law which has been essentially found by the Supreme Court to violate the civil rights of millions of American women.

We would also note that by placing enforcement of this ban in the Civil Rights Division, you will be diverting resources from an already overburdened division. The Division is charged with, among other things, enforcing the Voting Rights Act, Title VII protections against employment discrimination, the Fair Housing Act, and prosecuting hate crimes. It is difficult to envision a circumstance by which placing enforcement of a controversial new law – which has already been enjoined by two federal courts – will not impair the enforcement of these laws.

We also are extremely concerned about the Civil Rights Division's ability to prosecute those who block access to abortion clinics, in violation of the Freedom of Access to Clinic Entrances Act, at the same time that it enforces this unconstitutional prohibition of a safe abortion procedure. In your confirmation hearings you pledged to enforce FACE. However, it seems to us that placing enforcement of both FACE and this new law in the same division could constitute a serious conflict of interest that will undermine, if not demoralize, those efforts.

The Honorable John D. Ashcroft
Page 2
November 6, 2003

We urge you to reconsider this misuse of the Civil Rights Division. We should not be playing politics at the cost of the civil rights of all Americans.

Sincerely,

John Longenecker
Guila E. Sanchez
Jooreld Nadler

Paul Bonker
Tammy Baldwin
Zoe Lofgren
Carl E. Albert

cc: The Honorable F. James Sensenbrenner, Jr.
Chairman
U. S. House Committee on the Judiciary